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OPINION

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NON-ALIGNMENT AND ENTANGLEMENTS

S. NATARAJAN

I

IN the midst of much speculation about the policy and purposes of Communist China, little thought has been given to the objectives of the Government of India. But, as Goethe put it, life is not light but its refracted rays, and more can be found out by the reactions of Mr. Nehru to events than by the actual actions of his Government. This is particularly true of three different directions from which moves have taken place to restore peace, security and freedom from sudden attack or the threat of it, to India.

The first of these and the most energetic has come from the West with the U.S.A. and Britain playing a leading role. While keeping strictly to the atttitude of not disturbing India's foreign policy, Mr. Averell Harriman and Mr. Duncan Sandys have exerted themselves energetically to bring India and Pakistan together to try to settle under pressure outstanding problems which have eluded solution for fifteen years. That their efforts have left an impression must be inferred from the quiet talks going on between officials of the two countries rather than from the public postures adopted by the politicians and the press. The suggestion that the defence of the sub-continent can only be effective if India and Pakistan get together, has provoked an angry reaction in India where it is taken to mean the exercise of pressure on the Government to make unreasonable concessions to Pakistan. There is too an apprehension that it is a manœuvre to align India by drawing her into the framework of Western military alliances, while appearing to ignore and even welcome the Indian Government's expectations of, and efforts to secure, assistance from Soviet Russia.

The second is the Colombo effort of the six non-aligned countries from Asia and Africa. The decisions of the Conference have not been officially released but press reports suggest that the compromise proposed is not acceptable to India. Mr. Nehru himself, before he received the proposal, commented wrily that others do not see things the way India does, and, afterwards, replied to an old letter from North Vietnam's Ho Chi Minh categorically asserting that he could accept no modification of his demand for withdrawal of Chinese forces to the pre-September 8, 1962 boundaries as a pre-condition for Sino-Indian talks. Further, he has indicated to Mrs. Bandarnaike that other engagements prevent him from

receiving her before the middle of January, 1963, and the Ceylon Prime Minister has accordingly altered her progremme to visit Peking before coming to New Delhi. Mrs. Bandarnaike too who opened the Colombo Conference with a fervent plea for quick action, has shown little anxiety to complete the mission with despatch.

The third effort relates to Soviet Russia's attitude and its position in the Communist world *vis-a-vis* China. President Kardelj of Yugoslavia who was with Marshal Tito during recent talks with Mr. Khrushchev, is at present in India and will no doubt throw some light on the quarrels between Russia and China which have of late received considerable publicity. Without meaning more than to utter a warning, it mght be pointed out that Mr. Khrushchev and Marshal Tito have their own peace to patch up, and that once before, when Hungary's freedom was lost, Mr. Nehru was misled by Marshal Tito's advice. It is difficult to say in such cases how far Yugoslavia's attitude is influenced by ideological considerations and how much of it springs from misreading on the basis of inadequate knowledge. A direct message from Mr. Khrushchev would noturally be better than an interpretation by Mr. Kardelj. Mr. Nehru has indicated often enough that he does not expect more from Russia than 'neutrality' and token help. In international politics one usually does not obtain more than one looks for. Consequently, Soviet Russia has been the slowest to move, unimpressed by any idea of urgency. Now that the Prime Minister has lost his diplomatic innocence, it is useful to note that Russia might well find her purpose served by seeing China involved in protracted trouble in South Asia, using her influence with the Indian Government just sufficiently to bring about a limitation of aid from the West to the requisite amount. Much useful information on this technique can be gleaned from Milovan Djilas' "Conversations with Stalin" where the strategy of Communist States in fostering the natural suspicions of non-aligned nations about the West is depicted boldly.

To the fear that the non-alignment policy is endangered by the prompt help extended by the West, the Prime Minister apparently adds a genuine anxiety lest in domestic affairs all this might bring about a swing to the "Right", in the Government, the Congress and the country. His sharp reaction to any criticism from the Swatantra Party, his eager white-washing of Indian Communists, and his ascribing Chinese aggression to 'Han imperialism' rather than Communism are significant pointers to his mind. We are now at a stage when, in his own interest, it is necessary that these fears should be allayed ; it is, of course, important for the country's future that they should not be exploited as they so easily could be. Mr. Nehru, however, has no need to fear the increasing influence of the Right—in fact, he has every reason to rethink for himself whether the terms 'Leftism' and 'Rigtism' have any meaning in the Indian or international context. For one thing, he has admitted that for all his Government's emphasis on Socialism, the poor have been badly served by the two Five-Year Plans while the rich have thriven. Moreover, under war conditions the Government has ample powers which it could exercise

without raising any serious protest. As a matter of fact, twelve economists of New Delhi published a statement in the Press asking the Government to introduce a supplementary budget in early December—"the psychological opportunity for it exists and such a budget would have fulfilled a visible need and made concrete, for many, the conception of 'sacrifice'." Delhi's response was that the regular budget would come in three months' time, and "where is the hurry and why not wait until the magnitude of the financial resources necessary is clearly determined." Internationally, it is very fitting to recall Djilas' report of Stalin's admission that there are ways other than Communism to Socialism, citing particularly Britain's achievements. Thus neither in the domestic sphere nor in international affairs is there any reasonable ground for fearing any greater pressure from conservative elements than has existed so far. On the contrary, there is every reason to feel confident that wisely handled the present crisis would afford an opportunity to correct past mistakes and place economic development on a sound footing. For this, the urgent requirement is to give the Government's policies greater purpose and direction.

II

The Kashmir involvement presents the major obstacle in a settlement with Pakistan, though it is open to question whether agreement over Kashmir will end the differences which extend over wider questions. I was strongly for effecting a merger of Jammu and Kashmir with India on a basis which ensures the extension of democratic institutions and good government to that State. Moreover, there have been opportunities to achieve this without outraging world opinion and we have failed to take advantage of them for two reasons: Firstly, Mr. Nehru's insistence on a plebiscite has led us to ignore the many evidences of the ruling party's willingness to merge; secondly, there have been more than one instance of the United Nations conceding the substance of our claim but our concern to get the letter of its as well prevented our making progress in Kashmir affairs. As a result of these failures, we have been driven back to stalemate along the cease-fire line, to acrimonious argument with Pakistan and to support of undemocratic practices within the State. We might excuse Sheikh Abdullah's prolonged detention but it is difficult to justify it. It is little consolation that in the Pakistan-held area of Kashmir far worse conditions prevail. While political conditions prevailing in Pakistan are reflected in Pakistani Kashmir, those obtaining in India do not manifest themselves in Jammu and Kashmir.

There is nothing new in the idea of the defence of the sub-continent being an integrated enterprise. It was this that formed the basis of the interest in keeping India entire, and, if the military consideration was not in the minds of the politicians, it was nonetheless a reality. As a matter of fact, the original intention was to arrange for joint defence even after the agreement to partition. It was not the Government of India

which obstructed this natural development. That it should be revived after the Chinese attacks of October by U.S. and British representatives interested in rendering effective help to India was to be expected. Moreover, any scheme of long-term aid to India to build up her defences must mean some dovetailing into the system of military alliances already worked out by the West. It has often been suggested by American political writers that the nations in Asia which have accepted the democratic life, ought to assume greater responsibility for maintaining it against threats in this region. But, though this is the very sentiment Mr. Nehru gives expression to when he regrets the failure of some democratic neighbours to support India or accepts military help from the West, India has always leant heavily on her non-alignment policy not only to keep out of involvement but sometimes even to play a leading role in bringing about cease-fire arrangements which have worked to the advantage of the Communists who alternate negotiation and aggression to gain their ends. In so far as India continues to hold to non-alignment, we must expect indifference and even opportunism to govern the policies of other Asian countries.

In this context, the Kashmir question is of practically little importance. India will have to consider the future of Kashmir more from the point of conditions now obtaining there than from that of holding or ceding territory. There have been petitions and statements complaining about the administration but much of their contents cannot be proved. What is an incontrovertible fact is that constitutional changes have taken place and the way elections were conducted in 1962 proves the instability of the system. Up to 1962, the Kashmir Legislative Assembly's 75 seats were not all filled—some 25 seats were held in abeyance pending recovery of territory from Pakistan and providing representation for peoples of that area. The 1962 elections, for the first time, saw all the 75 seats filled with no reference to members from the Pakistan-held areas of Kashmir. What was more, the ruling party secured 67 of the seats—a large part of them being filled by uncontested returns. The phenomenon has been generally explained as due to Kashmir's first introduction to parliamentary democracy. But this form of election has not much to commend it. Obviously, the existing arrangements are not in the least satisfactory. Among the features that need correction are the special arrangements made for Kashmir State—as, for example, the designation of Prime Minister for the chief executive, and a semi-permanent head of State which are outward signs of the discrimination that is Kashmir. A cease-fire—we are beginning to appreciate it now that the Chinese have forced it on us—is a temporary expedient. But after World War II it has become a means of holding the status quo between two nations and their conflicting clams. A throughly unsatisfactory arrangement so far as the people residing in the disputed territory who are subjected to a prolonged period of uncertainty and instability, it should be the interest of all parties to bring it to an end as soon as possible. There is no reason why India should resent the fact that she has to do under the compulsion of an aggressive enemy that which should have been done long ago. We must

not forget that had Kashmir decided in 1947 to accede to Pakistan, we would have accepted the position without demur. Nor should we ignore the fact that had such accession taken place, China could not have encroached into Ladakh without becoming involved in hostilities with the Western powers since Pakistan is part of the military system built up by the West. In a recent issue of the *Economist*, it was darkly stated that the State of Jammu and Kashmir which had been divided between two nations so far, would be in future be divided between three. This surely is a state of affairs which, in the interests of the people of Kashmir, must be sought strenously to be ended.

TRUCE TALKS ON ANOTHER FRONT

OR

REMEMBER, REMEMBER, THE SEVENTH OF NOVEMBER

(1)

He: "Oh, my love, Oh, my soul,
Let me put it this way:
Am I destined to stay
For ever this side of the line of control?"

Chorus: Yes, the actual line of control!
An effective line,
But a defective line,
The actual, effective line of control!

(2)

"Is it fair, in your view,
That for all time I wait
At September Eight
Of one thousand nine hundred sixty-two?"

Chorus: Yes, September Eight, sixty-two,
A sweet enough date,
A neat enough date,
A date that is fine
But a bit out of line;
Yes, a sweet enough, neat enough, fine enough date,
But an out-of-line date
Of an out-of-date line;
We do not dislike it,
But do not quite like it,
This September Eight, sixty-two!
Yes, the year of our Lord, sixty two!

(3)

"I ask not for heaven,
But if, darling, my fate
Must be linked to a date,
Couldn't you possibly make it November Seven ?"

Chorus : Yes, a very good date is November seven !
We are sure we will love it !
Below it, above it,
There is nothing quite like it !
We will never dislike it
A wonderful date,
A splendour-full date,
We hereby commend it,
But please don't amend it,
For an excellent date is November seven !

(4)

She : "Oh, darling, that's fine !
Your wishes are granted
With effect from November, 'fifty-nine !
Let the truce flags be planted
Along the lawful, the customary line
Of the seventh of November, 'fifty-nine !
Of one thousand nine hundred fifty-nine !"

Chorus : We are for usage and custom,
We know we can trust 'em ;
Yes, let's have the strictly customary line !
Only the traditional,
Not an inch additional,
Beyond the lawful, the customary line !
Yes, the seventh of November,
(A date to remember)
Of one thousand nine hundred fifty-nine !
We'll not falter or flinch !
Not a hope, not an inch
Of Earth or of Heaven
Beyond November seven
Of one thousand nine hundred fifty-nine !
Yes, the actual, lawful, traditional line
Of the seventh of November
(A date to remember)
Of the year of our Lord, Fifty-nine !

Arun

THE RIGHT TO CRITICISE

SUJATA MANOHAR

ALL the king's men cannot put Humpty Dumpty together again. The glue does not stick any more. So order is issued that any person who touches Humpty Dumpty even with his finger-tips be cast into the dungeon.

No other interpretation can be put on the various announcements made lately by government and quasi-government spokesmen that all those who criticise the government, and particularly the Prime Minister, are liable to be arrested under the Defence of India Act. That this is no mere threat is borne out by the recent arrests of Messers Dharmapa, Roop Narain and N. N. Datta, the three signatories of a memorandum widely circulated among members of Parliament criticising the policy of the government and asking for Nehru's removal. The three are associated with the Committee Against Chinese Aggression and the Afro-Asian Council!

This attitude adopted by politicians in power poses a serious threat to the freedom of citizens to express their views on the acts of the government in the present state of emergency. If we only examine the political philosophy underlying democracy, it will become clear that such thinking is opposed to its basic tenets.

One of the main grounds on which democracy is preferred to dictatorship or oligarchy is that it allows an individual the maximum degree of freedom, the paramount freedom being the freedom to change the men who are in control of the affairs of the nation. A compromise of course has to be made between this freedom to demand and procure a change in the government and the safety and efficient running of the State. That is why laws impose certain restrictions on this right.

Take the law of sedition, for instance. Under Section 124A of the Indian Penal Code, "whoever by words . . . or otherwise brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the government established by law in India, shall be punishable with imprisonment for life. . . .

Explanation 1: The expression 'disaffection' includes disloyalty and all feelings of enmity.

Explanation 2: Comments expressing disapprobation of the measures of the government with a view to obtain their alteration by lawful means without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this Section.

Explanation 3: Comments expressing disapprobation of the administrative or other action of the government without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this Section."

Explanations 2 and 3 clearly imply that an individual is free to criticize the government and to demand a change of government.

People forget that the word "government" is often loosely used to connote two different things, viz., the existing political system and a particular set of ministers. A particular set of ministers may be open to objections. To assail them and even to excite hatred against them is not to excite hatred against the government. It would only infringe the law of libel. It is a well-settled law that it is not sedition to seek change of a government by constitutional means in order that another government equally constitutional may be substituted in its place in a constitutional way. It is sedition only if an attempt is made to unlawfully overthrow the existing political system.

The relevant provisions of the Defence of India Act and Rules do not materially affect this legal position because the words used are very similar. Rule 35 (6) (e) lays down that " 'Prejudicial act' means any act which is intended or is likely to bring into hatred or contempt, or to excite disaffection towards the government established by law in India" —a simplified version of Section 124A of the Indian Penal Code. It should be noted that the purpose of explanations under that Section is to clarify the words used in the Section and not to add to their meaning. So that the absence of any explanations under Rule 35 (6) (e) of the Defence of India Rules does not in any way widen the scope of the words used there.

The question is: Does the existence of a state of emergency make any difference to the freedom of the individual to demand a new government? It is true that in an emergency more and more varied measures may be necessary to ensure the safety of the State. It may be necessary, for instance, to take speedy measures to meet a changing situation so that discussions for the cultivation of public support may have to be abandoned. But it can never be, that even in an emergency, the people cannot change their ministers if they think that they are taking wrong decisions which prejudice the safety and prestige of the nation. For, that is the very essence of democracy distinguishing it form dictatorship.

A striking illustration of this principle is the motion placed before the British Parliament in the name of Sir John Wardlaw-Milne (an influential member of the Conservative Party) on 25th June 1952 during the critical period of the Second World War. The terms of the motion were: "That this House, while paying tribute to the heroism and endurance of the Armed Forces of the Crown in circumstances of exceptional difficulty, has no confidence in the central direction of the war". After a vigorous debate, the National Government of Winston Churchill emerged victorious. It is interesting to recall the words in which Lord Winterton, the Father of the House, indicted the Prime Minister. He said, "No one dares put the blame, where it should be put constitutionally, on the Prime Minister. . . . If whenever we have disasters we get the same answer, that whatever happens you must not blame the Prime Minister, we are getting very close to the intellectual and moral position of the German people—The Fuehrer is always right".

The right of an individual to criticise the government remains and must remain even in an emergency. For no democratic government can

be allowed under the cloak of emergency to stifle genuine criticism of its policies. In the memorable words of Lord Atkin, ". . . Amid the clash of arms, the laws are not silent. They may be changed, but they speak the same language in war as in peace."

CLARITY AND CONSISTENCY

IRAWATI KARVE

NOT only in times of emergency like the present but always we need to know clearly what we are and what we want to be. Refusal to think about these has led to unnecessary misunderstanding, friction and criminal unpreparedness. The language problem, the boundaries of States, the nature of Indian unity, the relationship with Pakistan, the structure of our society are some of our big problems, and with these are linked all the smaller problems that concern our unity and progress.

We are, like Europe, a group of nations. Our group is separated from other nations through certain geographical features of the earth. In our group, separate nations have come together to from a political union through the historical accident of having been ruled as one people by a foreign power who applied the same criminal and a largely similar civil law to all the parts and introduced us to a Western language, a Western political ideology and some Western science and technology. Never before in the history of India were all our nations under such a firm all-pervading rule. This rule lasted for a century and a half. The fight for freedom against this rule became a strong bond among these many nations to create a feeling of belonging together. It was this truth of many nations coming together to forge a new political unity that caused our leaders to create India in our Constitution a federal union.

This ultimate goal of nationhood was supposed to be reached through 'linguistic' unity. The language which is sought to be imposed on the masses is 'Hindi', the language of certain northern Indian States. This language has neither mechanical nor cultural advantages over other languages in India. It gives no new ideas or knowledge which other Indian languages do not give. It is poorer in literature than some languages and not as old as some. Hindi being made the federal language in India violates certain other ideals necessary for unity and for the making of a strong self-reliant state in the modern world.

When many nations come together to form a political unity, the chances of their remaining together and striving for closer bonds depend on two primary conditions. The first is that such a union is advantageous to each ; that without such a union, each will lose something. The second is that each nation is treated justly and fairly.

The first condition is nearly fulfilled owing to the present world condition. Pooling of raw materials, skills and human labour does make for progress and provide security. In world politics, we are somebody because we represent quite a big chunk of the world's area and population.

The variety of soils, climates and minerals, when pooled together is rich enough to provide a basis for building up a nearly self-sufficient nation which is not too badly off.

The second condition, is in some ways more basic than the first, since without it to keep together people of different nations and different religions becomes very difficult. Our leaders did right in declaring the Indian State to be a secular State. Whatever the relative numbers of followers of different religions, this has given equality to all religions. As a Hindu who deeply values her religion I feel that it is right that our leaders did not fall a victim to the temptation of creating a 'Hindu' State. Hinduism need not become a State religion, nor does it need an established church. It gives freedom to each to seek his God in his own way, it believes that God reveals Himself to different people at different times —that the moral law at the base of religions is the enduring one, while the name, the colour and the personality of the prophet and the deity may change. A religion must not become a State symbol because the majority of the people belong to that religion. What is necessary is that the State guarantees to respect the creed of the individual provided that he does not coerce others or goes against the supreme moral law of sanctity of human life.

This same principle must be applied in other fields too,—and most certainly as regards language. The necessities are to create instruments for mutual communication within the federation, communication with the outside world and the acquisition of new knowledge and new technology. The Federal State cannot have a language, which is the language of *one* unit within the Federation, however large that may be, raised to the status of the Federal language. This gives overwhelming advantages to the speakers of such language. It also gives such a permanent secondary position to the languages of the other States that the whole concept of equality and fairness is thrown over-board. If we accept, on the other hand, a foreign language with which some people from *all* the States have been familiar for the last one and a half centuries, which supplied us with our present political ideology, which has been our only source of getting at modern science and technology and which, while serving inter-communication within the Federation also serves to a large extent international communication, our demoestic problems will find a fair solution. These conditions are fulfilled by English. We pride ourselves on spiritual greatness and never tire of pointing out our example to others. We might also think clearly and show that we are patriotic enough to accept the language of our erstwhile masters since this would serve our land better than getting entangled in Hindi patriotism.

Speaking against Hindi has been treated as treason by most northern Indians. It hurts their pride, but they fail to see that others have a pride in their languages too and that the question cannot be solved on the basis of majority, if justice and fairness are to be considered. The acceptance of English as the Federal language should be accompanied by the

acceptance of the existence of more than a dozen national languages and their regional boundaries. 'Linguisim' and 'provincialism' are two words of abuse coined to belittle these sentiments. If the existence of national languages and their regional spread are accepted, it should not be difficult to demarcate the boundaries. General principles can be laid down and all boundaries demarcated without fear or favour with the help of the leaders of different States.

It is wrong to think that the existence of linguistic provinces would undermine the unity of India. A proof of the strong patriotic feeling of people speaking all languages has been given recently when China attacked India. In fact, this upsurge of peoples' feelings has been the only unequivocal non-confused reaction of the past months. Our leaders who did not suffer from languism and provincialism were the most confused in the hour of crisis. The communist ideology divided smaller countries like Korea and Viet-nam into two sections. Perhaps, the Chinese hoped to do that in India but the patriotism of the unsophisticated multi-lingual, multi-religious, multi-cultural masses has frustrated this attempt. People of one language wish to come together because they can learn in their own language and communicate easily with others, and the linguistic region happens to be also the region within which over ninety percent of marriages take place. To ignore this wish and abuse those who have it does not help Indian unity.

Clarity and sense of justice are needed also in the issues about public and private enterprise, socialism, agricultural policy and moralistic negative laws like prohibition which have brought in more serious moral crime than drinking ever did. The present confusion is, on the one side, due to unthinking imitation of certain slogans and certain ideologies of the West, and, on the other, blindness to history with a curious conviction of the spiritual superiority of Indians over others.

Talk of socialism with definite leanings towards communism is part of this imitative behaviour. Socialism and communism have functioned long enough in the West for us to analyse their social effects. The cruel power techniques of the communist regime are historical data now. Justice and fair play, coupled with regard for human life, cannot be reconciled with communist practices. All the communist political leaders and power holders, all their scientists and military personnel are no more working people than anywhere else in the world. The process of liquidation of opponents in a communist regime is so fearful that, if for nothing else, just for this one cruelty communism should be suspect. History has taught us the bitter lesson that being governed by others is not good in any way. But our leaders have failed to learn this lesson thoroughly. They have failed to notice that the communist nations of today hold down other nations, and their rule is neither less cruel nor less rigorous than that of the worst imperialists or capitalists. The same type of exploitation of men and material is found in both. Communism with its internatonal commitments is a far greater danger to our national unity and integrity than any linguistic or religious diversity.

Socialisation again must not make the whole land poorer than before. If the law can look after labour in the factory, it should also be able to look after labour on farms. If others can be made to pay income-tax, so can the farmers. But it is wrong to condemn one class of enterpreners (agriculturists) to comparative poverty while encouraging enterprise in other fields. Communism has failed in its land policy. It is time for us to think seriously of ours.

Our neutrality in foreign relations, just like our secularity at home, is the right policy provided it is not a neutrality with a bias or a neutrality which means sitting on the fence when moral issues are involved. A positive neutrality is something which is true to our Hindu philosophy and religion. It is a neutrality which comes through non-hate and non-love. Both hate and love blind judgement and hinder fairness, justice, clarity of perception. We need the neutrality which allows us to see clearly and act with fairness towards others as well as towards ourselves.

The recent crisis has also shown how our neutrality was tinged with love or hate towards certain nations. Our relationship with Pakistan leaves much to be desired. All these years the Indian press has kept alive an attitude of suspicion almost bordering on hate towards Pakistan. When the British went, they left behind a united India, except for the regions which are today East and West Pakistan. The emergence of Pakistan as a state was due to many factors. It would be wrong to conceive the cause to be solely British machination. Historical events of many centuries had made these parts into provinces of Muslim peasant majority with a Hindu minority made up of landlords and traders. The Muslims who were ruling large parts of India before the British were uneasy at the thought that in the new free India they would always remain a minority depending upon the favours of the majority. The clash and personal relationships of the then political leaders had also a share in the making of this new State. When the State was formed, the atrocities committed were committed by both Hindus and Muslims. The wish on the part of Pakistan to possess Kashmir, in part or whole, was not unnatural. Most of the States, whether ruled by Hindu or Muslim rajahs, were amalgamated, respectively, into the new India and the new Pakistan. Jammu and Kashmir, on the borders between India and Pakistan, became a bone of contention for the two States. It would be worthwhile to cnsider the whole question seriously and make a sincere attempt to solve all problems consequent to the division, with a view to create a working neighbourliness. Instead of that, Pakistan was represented merely as a dangerous neighbour. Even when Tibet was most cruelly overpowered, we did not take the hint and safeguard our northern borders. This happened because our neutrality was coloured by excessive love and faith, on the one hand, and bitterness and hate, on the other.

Western democracies have a history out of which parties have emerged. While taking up democratic slogans we have also taken up party politics. We are forgetting that the Congress was not one party

among others in a free country but took its shape as the organ of resistence to a foreign power. It was one in the sense of its nationalism only, while its members had different political and social ideologies. Even today, it has among it, people of all shades of opinion and incomes. Its funds come from the capitalists, its votes from the masses. It has forgotten that it is a national party, that it must foster all that is good, and some of its members, especially its newest recruits, can think on no other lines but rabid partisanship. In a country which is largely illiterate, coercion and patronage can and have played havoc with public integrity. It would be better to use talent and service from all sections of the people. Here again, the same curse of imitation plus the possession of power have clouded judgement. We have turned our eyes completely to the West without giving thought to the values which have been evolved in three thousand years of civilised existence here at home. A cross fertilisation of the new and the native is needed and we fail to see it. We can strike a compromise between party and non-party matters and allow for certain spheres in which politics and parties do not intervene. This would enhance the prestige of the biggest party and keep up the tradition in which it was fostered. This attitude might also free the leaders from the irksome necessity to extend patronage to the people of the smallest village or spend precious time in petty quarrels.

Prohibition has failed in most lands in the sense that, in spite of police control, people drank, and the whole fabric of law and order came into disrepute through defiance and bribery from outside and indifference and moral turpitude from inside. We refuse to learn from the experience of others because we think that, being spiritually higher, we can achieve what no others could.

Talk against the capitalist never ends but when prompt action against a particular malpractice is needed, it is never in evidence. Gold has been donated in the present crisis by the poor and the middle classes but rich hoarders of gold bought gold from those poor people who sold theirs because the prices came down. In the last few weeks, the government has made the poor poorer and the rich hoarder richer. Cannot these people's gold be made use of by the nation ?

For every one of the ills mentioned above and many more, the remedy is clarity and consistency. We have postponed various programmes because of the emergency but clarity and consistency continue to clude us. What one fears is that the emergency may be used for the deification of individuals and the creation of further confusion about reality and ideals.

SELF-RULE FOR NYASALAND

S. G. VAZE

ANOTHER STEP TOWARDS decolonization has been taken by the British Government in deciding to confer self-government on the protectorate of Nyasaland. The constitutional conference held in London last month reached unanimous agreement between the British

Government, the African delegation led by Dr. Hastings Banda and the minority groups, including the European planters, that the existing constitution should be amended to provide for internal self-government for the three million Nyasas. By next February the Governor will withdraw from the present Executive Council, which will become the cabinet, and an African Ministry will take full charge under Dr. Banda as Prime Minister. A self-governing constitution is normally the penultimate stage before independence in British territories and it is expected that Nyasaland will not take long to move on to the goal of complete independence.

Only in August 1961 did general elections take place in Nyasaland. These gave Dr. Banda's Malawi Congress party 95 per cent of the votes. The party has controlled the legislative council for a year and the Executive Council for six months. It may appear that the next stage in constitutional advance is being adopted a trifle too early, but the need of rapid liquidation of colonialism is so great that old-world ideas of gradualism have necessarily to be put away. Moreover, full self-government is a necessary pre-requisite of a final decision about the future of the Central African Federation, of which Nyasaland is a constituent unit (though the present constitutional conference was concerned exclusively with the territory's internal constitutional advance, the issue of federation being rigorously excluded on the insistence of Dr. Banda, who is unalterably committed to Nyasaland being taken out of the federation). Mr. Blackwood, the leader of the European delegation, agreed to the full cabinet system being established on the ground that for a decision about the future of Nyasaland and its association with the other territories it was necessary that "in each territory there should be what is to-day called a popularly elected government with responsible elected Ministers capable of meeting on equal terms around the conference table. It was our understanding that the pattern being followed by her Majesty's Government was to this end." It was rather the first step introduced by Mr. Macleod, which placed the Malawi party in control of not only the legislature but the executive, which was revolutionary. For till about the end of 1960 the small number of African seats in the Legislative Council were fillled either by nomination or indirect election and only towards the end of 1959 were Africans admitted to the Executive Council. The most remarkable thing about the changes introduced by Mr. Macleod was that they straightaway placed a man believed to be the bitterest enemy of Britain and given to methods of violence, almost in supreme command of the affairs of the Protectorate. The vision shown on the occasion can well be compared to the constructive imagination which the British Government brought to bear on the solution of the Cyprus problem. Dr. Banda has proved himself to be a man of complete integrity, devoted to peaceul methods and capable of facing hard relities in a practical manner. peaceful methods and capable of facing hard realities in a practical manner.

In these negotiations too Dr. Banda acted with great restraint. Though the constitution grants self-government, as the statement issued after the

conference puts it, "on the normal pattern established in other British African territories, there would need to be variants related to the territory's problems at least for a transitional period," and Dr. Banda, recognising this need, agreed to some temporary deviations. For instance, full internal self-government involved the replacement of the three official ministers yet in the Executive Council (the Chief Secretary, the Attorney-General and the Finance Minister) ; but the British Government pleaded for the retention of the official Finance Minister for some time because Britain has been meeting the deficit on the budget of about £ 1.5 million a year, since Nyasaland, because of its opposition to federation, refuses to avail itself of the subvention it used to receive from the Federal budget, estimated at between £ 2.5 and £ 4 millions annually. Britain is also contributing £ 3 millions to Nyasaland's development plan. So long as such assistance is imperatively required, it is natural that some amount of British control should continue. Dr. Banda saw the reasonableness of the plea. The new constitution thus provides that normally the Governor will consult the Cabinet in exercising his functions and act on its advice "except where he considers it necessary for the purpose of discharging his responsibility . . . for the purpose of maintaining financial and economic stability." Accordingly, the Governor will have power to veto financial measurers or to introduce measures of his own under the new constitution.

Similarly, there will have to be reservations in the legislative field. The constitution has to be framed on the basis that Nyasaland is for the time being a member of the Central African Federation though it hopes to secede on the attainment of independence, and certain functions of the territorial government will be carried out by the Federal Government in Salisbury. For this reason under the new constitution the Governor will have to be authorized to exercise without consultation of the Cabinet "functions in relation to matters not within the constitutional competance of the Nyasaland Government." The Governor will accordingly have power to veto in part or whole any legislation which would exceed the competance of the territorial Government.

In the closing session of the conference two topics were dominant : the future role of expatriate civil servants and the safeguards for the white settlers and other minority groups. It is normal to introduce a compensation scheme at the stage of full self-government when the Governor's special transitional powers are withdrawn. Such a scheme will therefore be worked out later with the co-operation of the Malawi Congress party, which fully realizes the justice of the use of the transitional powers designed to delay any hasty withdrawals or early preoccupation with lump sum compensation. A Bill of Rights, based largely on the Uganda precedent, will be incorporated in the constitution in the interest of racial and other minorities. It will guarantee personal liberty, freedom of conscience, expression and assembly, protection of privacy of the home, and protection from deprivation of property without compensation. Mr. Blackwood, spokesman for the 3,000 European and 11,000

Asian residents called for the Bill of Rights to be entrenched in the constitution so that a two-thirds affirmative vote of each racial group taken separately would be required for effecting a change in it. Dr. Banda thought this was going too far and would not agree to such entranchment. Nor would be agree to the setting up of a council of state, as in Southern Rhodesia, as a body of appeal. A compromise solution was therefore adopted, which provides for the Governor an independent legal adviser, whose duty it will be to watch the effectiveness of the Bill of Rights under day-to-day African rule and to assist the Governor in deciding when his intervention with the Cabinet is necessary.

The Governor can bring his reserve powers into exercise in the interests of security and public order, and though operational control of the police will be delegated to the Prime Minister the Governor will retain, as the "Times" says, more control over the police than is usual at this stage. The question of the franchise has been left over until later, but it is known that while Mr. Blackwood and other United Federal Party delegates are strongly in favour of retaining the upper roll which gave them five seats in a Council of twenty-eight in last year's elections, Dr. Banda wants to abolish the dual roll system and move to adult franchise. He will probably be willing to provide for a few reserved seats in order to ensure minority representation.

Though at the moment the Malawi Congress Party is strongly in favour of taking Nyasaland out of the Federation, it may be that after the Nyasas face the extremely tough financial and economic consequences of secession, they will be in a mood to examine post-secession relationships with the Rhodesias constructively and realistically, and wiil agree to some organic association with the other territories. At any rate, that is the hope of the British Government.

(Since this was written, the British Government has accepted in principle Nayasaland's right to withdraw from the Central African Federation.—Ed.)

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